

Jonathan W. Thames (Bar No. 242158)  
James J. Jirn (Bar No. 241189)  
ARCHER NORRIS, APLC  
2033 North Main Street, Suite 800  
PO Box 8035  
Walnut Creek, California 94596-3728  
Telephone: 925.930.6600  
Facsimile: 925.930.6620

Attorneys for Plaintiff  
THE CONTINENTAL INSURANCE COMPANY

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

THE CONTINENTAL INSURANCE  
COMPANY, a corporation,

Plaintiff,

v.

KAWASAKI KISEN KAISHA, LTD.  
D/B/A "K" LINE, a foreign corporation;  
"K" LINE AMERICA, INC., a foreign  
corporation; and DOE ONE through DOE  
TEN,

Defendants.

Case No. C 07-06148 WHA

**THE PARTIES' LOCAL RULE 6-2  
STIPULATED REQUEST FOR ORDER  
CHANGING TIME FOR HEARING OF  
DEFENDANTS' MOTION TO DISMISS  
PURSUANT TO TOKYO DISTRICT  
COURT FORUM SELECTION CLAUSE;  
DECLARATION OF JONATHAN W.  
THAMES IN SUPPORT; AND  
[PROPOSED] ORDER**

**STIPULATED REQUEST FOR ORDER**

WHEREAS defendants Kawasaki Kisen Kaisha, Ltd.'s and "K." Line America, Inc.'s  
Motion to Dismiss pursuant to the Tokyo District court forum selection clause contained in the  
relevant bills of lading is currently set for hearing on this Court's docket on April 24, 2008;

WHEREAS plaintiff The Continental Insurance Company opposes this motion;

WHEREAS pursuant to Local Rule 7-3(a) plaintiff's opposition to said motion was due on  
April 3, 2008, but due to plaintiff's counsel's calendaring error, plaintiff did not timely file its  
opposition;

WHEREAS the parties are presently working in good faith to negotiate a settlement of the

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PARTIES' LR 6-2 STIPULATED REQUEST FOR ORDER CHANGING TIME FOR HEARING OF  
DEFENDANTS' MOTION TO DISMISS, DECLARATION IN SUPPORT, AND [PROPOSED] ORDER

1 dispute at issue in this suit, and would appreciate some additional time to finalize their  
2 negotiations free from the need to expend time and resources briefing a motion that may be  
3 mooted by settlement;

4 WHEREAS there have been no previous time modifications in this case; and

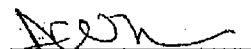
5 WHEREAS the requested time modification will have no effect on the schedule already  
6 set for this case;

7 NOW THEREFORE pursuant to Local Rule 6-2 the parties stipulate this Court's entry of  
8 an Order changing the time for hearing of defendants' Motion To Dismiss from April 24, 2008, to  
9 May 8, 2008 (with plaintiffs opposition due on April 17, 2008, and defendants' reply due on  
10 April 24, 2008), or as soon thereafter as it may be heard, and request an Order from this Court  
11 confirming same.

12 DATED: April 4, 2008.

Respectfully submitted,

13 ARCHER NORRIS

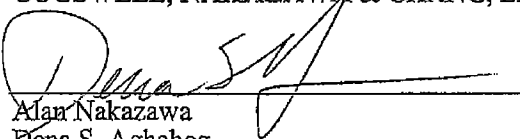
14   
15 Jonathan W. Thames

16 James J. Jiri  
17 Attorneys for Plaintiff  
THE CONTINENTAL INSURANCE  
COMPANY

18 DATED: April 4, 2008.

Respectfully submitted,

19 COGSWELL, NAKAZAWA & CHANG, LLP

20   
21 Alan Nakazawa  
22 Dena S. Aghabeg  
23 Attorneys for Defendants  
KAWASAKI KISEN KAISHA, LTD. AND  
24 "K" LINE AMERICA, INC.  
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